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**HEALTH COMMISSION
CITY AND COUNTY OF SAN
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AGENDA

HEALTH COMMISSION MEETING

Tuesday April 18, 2023 4:00 p.m.

101 Grove Street, Room 300

San Francisco, CA 94102 & via Webex

Members of the Health Commission will attend this meeting in-person. Members of the public are invited to observe the meeting in-person or remotely online using this link:

<https://sfpublic.webex.com/sfpublic/j.php?MTID=m1d5040514a45719661fbb9c6083f1cb0>. The meeting will also be broadcast on SFGovTV. Everyone attending the meeting in person is encouraged to wear a mask throughout the meeting.

Public comment is allowed in relation to each agenda item, and the Secretary of the Health Commission will indicate when public comment is to occur for each item when not listed on the agenda below. Each member of the public, whether attending remotely or in person, may address the Commission for up to three minutes. Members of the public attending the meeting in person will have an opportunity to provide public comment on every item. In addition to in-person public comment, the Health Commission will hear up to 20 minutes of remote public comment on each agenda item. The Health Commission will hear remote public comment on each item in the order that commenters add themselves to the queue to comment on the item. Because of the 20-minute time limit, it is possible that not every person in the queue will have an opportunity to provide remote public comment. Requests to include a maximum of 150 word written public comment in the meeting minutes can be made at healthcommission.dph@sfdph.org. Remote public comment from people who have received an accommodation due to disability, as explained on page 4, will not count toward the 20-minute limit. Instructions for providing remote public comment can be viewed on page 6 of this meeting agenda.

1) CALL TO ORDER

RAMAYTUSH OHOLONE LAND ACKNOWLEDGEMENT

The San Francisco Health Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush (rah-my-toosh) Ohlone (O-lon-ee) who are the original inhabitants of the San Francisco Peninsula. As the Indigenous stewards of this land, and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as First Peoples.

2) **GENERAL PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission that are not on this meeting agenda. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes. The Brown Act forbids the Commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. Please see page 5 of this agenda for information regarding instructions for making public comment.

3) **FOR ACTION:** **REVIEW AND APPROVAL OF ADDITIONAL BUDGET PROPOSALS FOR FY 2023-2024 AND FY 2024-2025**

(Jenny Louie, DPH CFO)

The Health Commission will consider approval of revisions to the FY23-24 and FY24-25 DPH Budget. Approval is requested.

4) **FOR DISCUSSION:** **LAGUNA HONDA HOSPITAL AND REHABILITATION CENTER (LHH) CLOSURE PLAN AND CMS RECERTIFICATION UPDATE**

(Roland Pickens, MHA, FACHE, Acting LHH CEO)

The Centers for Medicare and Medicaid Services (CMS) terminated LHH's participation in the Medicare and Medicaid Provider Participation Programs in April 2022. As a result, LHH is required by CMS to transfer or discharge patients while applying for recertification to the Medicare and Medicaid Provider Participation Programs.

5) **FOR ACTION:** **CONSENT CALENDAR**

All matters listed under this item constitute a Consent Agenda are considered to be routine by the Health Commission and will be acted upon by a single roll call vote of the Health Commission. There will be no separate discussion of these items unless a member of the Commission requests discussion, in which event the matter shall be removed from the Consent Agenda and considered as a separate agenda item.

The following are Laguna Honda Hospital policies. At their April 11, 2023 meeting, the LHH JCC recommended that the full Health Commission approve the policies. Approval is requested.

<u>Item</u>	<u>Scope</u>	<u>Policy No.</u>	<u>Policy Title</u>
1	Facility-wide	25-10	Use of Psychotropic Medications
2	Facility-wide	31-01	Wireless Temperature Monitoring System
3	Facility Services	LS-2	Portable Fire Extinguisher Inspection and Maintenance
4	Nursing	C 3.0	Obtaining Nursing Forms, Medical Records Appendix 1: Obtaining Nursing Documentation Forms, Medical Records, and Chart Order
5	Nursing	D1 2.0	Resident's Activities of Daily Living
6	Nursing	E 2.0	Assisting Residents During Mealtime
7	Nursing	E 5.0	Enteral Tube Feeding Management
8	Nursing	J 1.0	Medication Administration
9	Nursing	E 6.0	Total Parenteral Nutrition
10	Nursing	D5 3.0	Cast Care

6) **PROPOSED ACTION:** **APPROVAL OF THE MINUTES OF THE HEALTH COMMISSION MEETING OF APRIL 4, 2023.**

**Minutes of the meetings of April 4, 2023.*

7) **FOR DISCUSSION:** **DIRECTOR'S REPORT**

(Grant Colfax MD, DPH, Director of Health)

- COVID-19
- Departmental News
- Budget

**Director's Report*

The Health Commission will hear an update of DPH activities.

8) **FOR DISCUSSION:** **JOINT CONFERENCE COMMITTEE AND OTHER COMMITTEE REPORTS**

(Commissioner Laurie Green, LHH JCC Member)

The Health Commission will hear a brief summary of the April 11, 2023 LHH JCC Meeting.

9) **OTHER BUSINESS:**

Opportunity when Commissioners, the Director of Health, and members of the public may bring up topics for discussion, providing that any action is delayed until proper notice can be granted.

10) **CLOSED SESSION**

A) Public comments on all matters pertaining to the Closed Session. (San Francisco Administrative Code Section 67.15).

B) Vote on whether to hold a closed session in relation to item 11.C below regarding pending litigation and to assert the attorney-client privilege in relation to that closed session discussion.

Motion that the Health Commission convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding existing litigation to which the City and County of San Francisco is a party and proposed settlements as described below and whether to assert the attorney-client privilege in relation to those matters. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending litigation matters listed below.

(San Francisco Administrative Code Section 67.10(d); and California Government Code Section 54956.9(d)(3)). (Action Item)

C) Closed Session Pursuant to San Francisco Administrative Code Section 67.10(d); and California Government Code Section 54956.9(d).

PROPOSED ACTION: SETTLEMENT OF LITIGATION: Dellfinia Hardy – CITY TO PAY \$116,250.

DELLFINIA HARDY, Plaintiff, vs. CITY AND COUNTY OF SAN FRANCISCO, Defendant.

(U.S. District Court, Northern District of California, Case No. 3:21-cv-02934-SI) (Action Item)

PROPOSED ACTION: SETTLEMENT OF LITIGATION: Cheryl Thornton – CITY TO PAY \$100,000.

CHERYL THORNTON, Plaintiff, vs. CITY AND COUNTY OF SAN FRANCISCO, Defendant.

(U.S. District Court, Northern District of California, Case No. 3:21-cv-02938-SI) (Action Item)

PROPOSED ACTION: SETTLEMENT OF LITIGATION: Darlene Daevu – CITY TO PAY \$90,000.
DARLENE DAEVU, Plaintiff, vs. CITY AND COUNTY OF SAN FRANCISCO, Defendant.
(U.S. District Court, Northern District of California, Case No. 4:21-cv-02936-JST) (Action Item)

RECONVENE IN OPEN SESSION

1. If Closed Session is complete, discussion and vote to elect whether to disclose any portion of the Closed Session discussion that is not confidential under Federal or State law, The Charter, or Non-Waivable Privilege (San Francisco Administrative Code Section 67.12(a).) (Action item)
2. If Closed Session is complete, possible report on action taken in Closed Session (Government Code Sections 54957.1(a) and 54957.7(b) and San Francisco Administrative Code Section 67.12(b)).

11) ADJOURNMENT

- * Explanatory documents are available at the Health Commission Office, 101 Grove Street, Room #309, telephone 554-2666. If any materials related to an item on this agenda have been distributed to the Health Commission after distribution of the agenda packet, those materials are available for public inspection at the Health Commission Office at the address above during normal business hours.

Accessible Meeting Policy

Meetings are held in Room #300, at 101 Grove Street, in San Francisco, CA. The meeting room is wheelchair accessible through Grove Street entrance located between Polk Street and Van Ness Avenue. The closest accessible station for Muni and BART is the Civic Center station. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus routes serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information regarding MUNI accessible services, call (415) 701-4485 or call 311. Parking: Accessible parking is available at the Civic Center Underground Parking Garage (McAllister and Polk), and at the Performing Arts Parking Garage (Grove and Franklin). Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street and at the southwest corner of Grove and Polk Streets.

This meeting will be broadcast and captioned on SFGovTV; it may also be viewed on Webex.

To make a request to be given accommodation due to disability in regard to making public comment, please email your request to HealthCommission.DPH@sfdph.org or leave a voicemail message at (415)554-2666 no later than two (2) hours before the start of the meeting.

To access the meeting remotely as an accommodation, please see instructions for how to use Webex for the purposes of remote public comment on page 5 of this agenda. Please note that this information is also used by other members of the public providing remote public comment.

Sign Language Interpretation is also available upon request. If requesting remote Sign Language Interpretation, please submit an accommodation request a minimum of 4 business hours prior to the start of the meeting. Allowing a minimum of 48 business hours for all other accommodation requests (for example, for other auxiliary aids and services) helps ensure availability. To request accommodation, please contact HealthCommission.DPH@sfdph.org or (415)554-2666.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

Cell Phone and/or Sound Producing Electronic Device Usage at Hearings

The ringing of and use of cellular phones, pagers and similar sound producing electronic devices are prohibited during public meetings. Please be advised that the Chair/President may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phones, pagers, or other similar sound producing electronic devices (Sunshine Ordinance 67A.1).

Know Your Rights under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the sunshine ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force Administrator by mail to, 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting the Sunshine Ordinance Task Force or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>.

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Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (Administrative Code Section 16.520-534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, contact the Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112 or visit its website at <http://www.sfgov.org/ethics>.

Meeting Access Information

Members of the public may attend the meeting in person at 101 Grove Street, room 300, or view the meeting via the links below. Anyone attending the meeting in person is encouraged to wear a mask throughout the meeting.

<https://sfgovtv.org/DPHLiveStream>

<https://sfpublic.webex.com/sfpublic/j.php?MTID=m1d5040514a45719661fbb9c6083f1cb0>

NOTE: Depending on your broadband/WIFI connection, there may be a delay when viewing the meeting live. Those intending to make public comment are encouraged to use the Webex link to reduce the possibility of a delay.

PUBLIC COMMENT CALL-IN: 415-655-0001/ Access Code: 2593 267 7837#

After entering the access code, you may be asked for the Webinar Password: 432584
(There is no delay when listening to the meeting using this number.)

Information Regarding Providing Remote Public Comment

- Each individual may comment 1 time per agenda item.
- Each individual may speak for up to 3 minutes; after which time the line is automatically silenced.
- To make public comment on a specific agenda item, dial in using the information above, when the item is called.
- Dial “*3” to be added to the public comment queue for this item.
- When it is your time to speak, you will hear “Your line has been unmuted.”
- Ensure you are in a quiet location.
- Before you speak, mute the sound of any equipment around you including televisions, radios, and computers. It is especially important that you **mute your computer** so there is no echo sound when you speak.
- When the Commission Secretary states, “Next Caller,” you are encouraged to state your name clearly. As soon as you speak, your time allotment will begin.
- After you speak, you will go back to listening mode. You may stay on the line to provide public comment on another item.